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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,914	02/17/2004	Osamu Kinoshita	FPO-CE-24014 (108469-1)	8973
7590	08/23/2005		EXAMINER	
Olson & Hierl, Ltd. 36th Floor 20 N. Wacker Drive Chicago, IL 60606			FIELD, LINDA PENA	
			ART UNIT	PAPER NUMBER
			2855	

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/779,914

Applicant(s)

KINOSHITA, OSAMU

Examiner

Linda P. Field

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 is/are rejected.
- 7) ☒ Claim(s) 4 and 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Specification Objections***

The disclosure is objected to because of the following informalities:

Beginning on page 6, line 24, a number associated with "step" is missing and various numbers are missing in the next sentence as well, i.e., "main body", "interconnect substrate", "liquid crystal display device". In that same sentence, line 25, it is unclear what "the like" is intended to mean.

On page 8, lines 5 and 20, the number 4a is associated with two terms: "speed indicator's indication unit" and "transparent plate". This is unclear and misleading.

Also on page 8, beginning on line 19, it is unclear what "the like" is intended to mean. "The like" is found twice in that sentence and each time is unclear and misleading. In the same sentence, numbers associated with following are missing: "interconnect substrate", "liquid crystal display unit" and "battery housing."

On page 9, line 17, a number associated with "handlebar holder" is missing. On line 18, numbers associated with "handlebar stem" and front protrusion are missing.

Appropriate correction is required.

### ***Drawings***

In figure 5, items associated with numbers 4 and 1 are not labeled. In figure 6, item associated with number 4 are not labeled. In figure 7, item associated with 21 is labeled. Appropriate correction is required.

***Claim Objection***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. In Claim 4 “a protrusion to engage with and secure said speed indicator and said speed indicator has a nail elastically deformed to engage with said protrusion” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

In Claim 6, “interconnect substrate” and “any button switch of said main body to be externally operated is arranged only at a bottom surface of said main body” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Masui, *et. al.* (EP 1065140A2).

With respect to Claim 1, Masui teaches a rod attaching said handlebar stem to the bicycle (Column 4, lines 1-2, handlebar stem 22), a speed indicator receiving a signal from a speed sensor to display speed (Column 4, line 5, display 14), and an indicator housing located at a front protrusion extending in a forward direction to traverse said rod to house said speed indicator (Column 4, line 6, base member 15 and cover 16), said indicator housing, as seen along said rod, overlapping or being adjacent to said rod (see Figure 1).

With respect to Claim 2, Masui teaches a handlebar holder holding said handlebar (Figure 1, mounting arch 26) and said indicator housing are adjacent to each other (see Figure 1, base member 15 and cover 16 is adjacent to mounting arch 26) and a screw fastening said handlebar held by said handlebar holder is obliquely arranged to traverse said forward direction (Figure 3, bolt 48).

With respect to Claim 4; Masui teaches a rod attaching said handlebar stem to the bicycle (Column 4, lines 1-2, handlebar stem 22), a speed indicator receiving a signal from a speed sensor to display speed (Column 4, line 5, display 14), and an indicator housing located at a front protrusion extending in a forward direction to traverse said rod to house said speed indicator (Column 4, line 6, base member 15 and cover 16), said indicator housing, as seen along said rod, overlapping or being adjacent to said rod (see Figure 1), wherein said indicator housing has a protrusion to engage with and secure said speed indicator and said speed indicator has a nail elastically deformed to engage with said protrusion (Figure 3 and Column 5, lines 11-17 show a fastener 74 extends through an opening 78 disposed in an access hole 80 in base member 15 and into a threaded opening 812 in display mounting member 66 to fasten display 14 to mounting arch 26).

Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Shimano (4435983).

Shimano teaches a rod attaching said handlebar stem to the bicycle (Column 2, lines 13-14, a tubular stem body 1), a speed indicator receiving a signal from a speed sensor to display speed (Column 2, line 31, speed indicator 5), and an indicator housing located at a front protrusion extending in a forward direction to traverse said rod to house said speed indicator (Column 2, lines 30-35, holding portion 3 and hollow 4), said indicator housing, as seen along said rod, overlapping or being adjacent to said rod (see Figures 1, 2 and 8), wherein said speed indicator is bonded to said indicator

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housing with an adhesive (Figures 1 and 2, show a stepped portion 21 serving as an adhesive for bonding speed indicator and indicator housing).

Claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by Houlihan (4780864).

With respect to Claim 6, Houlihan teaches a main body (Figures 1,2,3, and 4 show electronic watch 14) including an interconnect substrate (Figures 1,2,3, and 4 show case 15) and a liquid crystal display unit (Figure 8 shows a liquid crystal display 16), and a battery housing removable from said main body (Column 4, lines 20-24 shows a battery power source 46), wherein any button switch of said main body to be externally operated is arranged only at a bottom surface of said main body (Figures 2,3 and 4 show manually actuated push buttons arranged at a bottom surface of the main body).

Additionally, Claim 6 is rejected under U.S.C. 102(b) as being anticipated by Kishimoto (6204752 B1). Kishimoto teaches a main body including an interconnect substrate (Column 4, lines 53-62, bicycle display unit 12) and a liquid crystal display unit (Column 6, lines 10-12, liquid crystal display panel 28) and a battery housing removable from said main body (Figure 8, battery unit 34), wherein any button switch of said main body to be externally operated is arranged only at a bottom surface of said main body (Column 5, lines 21-51 shows switches 41-43 located at a bottom surface of the main body, and Column 12, lines 30-50 shows a modified display unit 312 switches 341-343 located at a bottom surface of the modified display unit 312).

***Allowable Subject Matter***

Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is an examiner's statement of reasons for allowance: With respect to Claim 5, the prior art fails to show a through-hole having an edge provided with a guiding tapered portion helping to use a tool in a form of a pin to push upward a push button switch provided at a bottom surface of said main body while said speed indicator is housed.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patents 4435983, 6204752, 4780864 pertain to handlebar speed indicators for bicycles.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda P. Field whose telephone number is 571-272-6001. The examiner can normally be reached on 7:30-4:30.

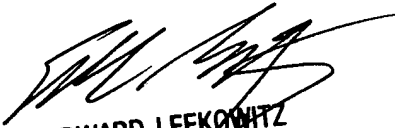
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LPF



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